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7

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12
13 v.
14 CHRISTOPHER DANIEL LOPEZ,
15 Defendant.

Case No. 2:23-mj-00863-MDC
ORDER GRANTING
STIPULATION TO CONTINUE
BENCH TRIAL
(First Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and Between Jason M. Frierson,
17 United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for the
18 United States of America, and Rene L. Valladares, Federal Public Defender, and Joy Chen,
19 Assistant Federal Public Defender, counsel for Christopher Daniel Lopez, that the bench trial
20 currently scheduled on March 13, 2024, be vacated and continued to a date and time convenient
21 to the Court, but no sooner than thirty (30) days.

22 This Stipulation is entered into for the following reasons:

- 23 1. The parties require additional time for negotiations to determine whether this
24 matter may be resolved short of trial.
25 2. Defense counsel requires additional time to review discovery and to counsel
26 the defendant on his options.

3. The defendant is out of custody and does not oppose the continuance.

4. The parties agree to the continuance.

This is the first request for a continuance of the bench trial.

DATED this 12th day of March, 2024.

RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

By /s/ Joy Chen

JOY CHEN
Assistant Federal Public Defender

By /s/ Melanee Smith

MELANEE SMITH
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 CHRISTOPHER DANIEL LOPEZ,

7 Defendant.

Case No. 2:23-mj-00863-MDC

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

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9
10 FINDINGS OF FACT

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. The parties require additional time for negotiations to determine whether this
14 matter may be resolved short of trial.

15 2. Defense counsel requires additional time to review discovery and to counsel
16 the defendant on his options.

17 3. The defendant is out of custody and does not oppose the continuance.

18 4. The parties agree to the continuance.

19 This is the first request for a continuance of the bench trial.
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CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United States Code, § 316(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the bench trial currently scheduled on Wednesday, March 13, 2024, at 9:00 a.m., be vacated and continued to April 17, 2024 at 9:00 am in LV Courtroom 3A.

DATED this 12th day of March, 2024.


UNITED STATES MAGISTRATE JUDGE